K 1950

S.O.

File No. 50 pt. I

Legal Department

C BRANCH

Subject:—

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Standing orders of the legal Department and Governme
issued in the yeer 1950

C For previous ~~subsequent~~ papers pl. see part I

S.O. 1/50 II

File No. pt. II

Gen. 194 e. 18-C

No. 1141.
Legal Department,
Bombay Castle (Bombay No.1), ~~the~~ 10th August 1950.

Subject :- Office hours.
Bombay City & Mofussil Offices.

Memorandum.

The undersigned presents compliments to the Chief Secretary to the Government of Bombay, Political and Services Department and with reference to that Department Circular No. 1173/46, dated the 20th July 1950 on the above subject is directed to state that the Remembrancer of Legal Affairs and the Secretary, Legal Department, is personally of the opinion that the most suitable hours from all points of view are 9-30 a.m. to 5 p.m. with an interval of half an hour for lunch. These hours are in fact observed by all the British and foreign firms in Bombay for their establishment. Only two objections have been urged against these hours :-

(1) that the lower paid staff will be required to spend more for their lunch which will become a necessity, if they have to attend office at the early hour of 9-30; and

(2) that they will interfere with the college studies of some members.

The second objection is utterly irrelevant. The first no doubt has some force. But it is quite certain that members who come now at 10-30 a.m. spend something on their tiffin to supplement what they may be bringing from home. Anyway, this difficulty can be solved if provision for expanding the canteen can be made and for supplying wholesome food in the canteen at concessional rates. The advantages of these hours on the other hand are that the best work is generally done in the morning, that there will be staggering for purposes of transport, and finally that members will be able to go home earlier and spend some time with their families and attend to their household work or take an evening out. Opinion in L.D. regarding these hours is divided; but generally the Lower Division establishment is not favour for the principal reason that it will mean additional expenses for lunch. If these hours are not to be accepted, opinion in Legal Department is overwhelmingly in favour of

PHB 27/8 NLCD 27/8

in favour of restoring the former hours, namely, 10-30 a.m. to 5-30 p.m.

By order of the Governor of Bombay,

For Secretary to the Government of Bombay,
Legal Department.

SSM / 18/8/56.

R.L.A. has decided that all summaries of the current opinions should hereafter be got typed on paper and not on cards. The Summaries so typed should be sent to the R.K. who will see that they are arranged according to sections and Acts.

All the Summaries which have been typed on cards should also be got typed on paper and properly arranged. The typists should render every possible co-operation in having the Summaries be typed on paper. After the close of the year, they shall be arranged according to Acts and sent for printing.

SDM / 8/8/56..

All members and peons producing bills should be asked to produce in support of their claim the bus or tram tickets. The same is the practice followed in the separate Deptt.

Cashier.

GOVERNMENT OF BOMBAY.
Political and Services Department,
Circular No.S. 77,
Bombay Castle, 12th September 1950.

It has been noticed that no uniformity is being observed by the Secretariat Departments in the use of the term "Government" in the singular or the plural. At times, the term "Government" is used in the singular in one place and in the plural in another in the same document. This is very undesirable. All Departments of the Secretariat are therefore requested strictly to comply with the instructions issued in Government Circular, Political and Services Deptt. No. S-77, dated the 28th December 1938 (copy enclosed) in future.

By order of the Governor of Bombay,

M.D.BHAT.
Chief Secretary to the Government of Bombay,
Political and Services Department,

To:

All Departments of the Secretariat.

GOVERNMENT OF BOMBAY.
Political and Services Department.
Circular No. S. 77.

Bombay Castle, 28th December 1938.

It has come to notice that in official documents some Deptts. of the Secretariat use the term "Government" in the singular and some in plural. While it is grammatically not incorrect to use the term either in the singular or the plural, its use in the same documents, both in the singular and the plural, should be avoided. With a view therefor to maintain uniformity in this matter in documents which are compiled from reports of several Departments ~~which are compiled from reports of several Departments~~, the Departments of the Secretariat are requested in all official Documents, to treat the term "Government" as being the singular number.

By order of the Governor of Bombay,

J.Wiles,
Chief Secretary to the Government of Bombay,
Political and Services Department.

To

All Departments of the Secretariat,

SSM / 18/8/56.

Office hours.
Bombay City and mofussil offices

GOVERNMENT OF BOMBAY.

Political and Services Department.

Resolution No. 1173/46.

Bombay Castle, 13th September 1950.

Read Government Resolution, Political and Services Department No. 1173/46, dated the 22nd May 1950

Read Government Circular, Political and Services Department No. 1173/46, dated the 20th July 1950.

Resolution :- Government has carefully considered the views expressed by the Heads of Departments in response to Government Circular, Political and Services Department, No. 1173/46, dated the 20th July 1950 and in view of the general trend of opinion in favour of the former office hours. Government is pleased to restore in supersession of the orders issued in Government Resolution, Political and Services Department, No. 1173/46, dated the 22nd May 1950 the following hours of work for Government offices (including the Secretariat) in the Bombay State, other than offices for which hours are prescribed by the High Court with effect from the 1st October 1950 :-

(1) Government offices in Greater Bombay and the Bombay Suburban District other than those offices for which hours of office are prescribed by the High Court :-

Week days	..	10-30 a.m. (without any grace) to 5-30 p.m.
Saturdays	..	10-30 a.m. (without any grace) to 2 p.m.

(ii) Government offices in the mofussil :-

Week days	..	11 a.m. (Without any grace) to 6 p.m.
Saturdays	..	11 a.m. (Without any grace) to 2-15 p.m.

The Secretaries in the Departments of the Secretariat and other heads of departments and offices in the State are authorised to give a recess up to half an hour on all working days except saturdays to those members of the staff who require it.

The local head of the department or the head of the office is further authorised to prescribe other hours of work of equivalent length if he considers the necessary to meet local requirements in exceptional circumstances.

2. Government is also pleased to direct that the hours of work prescribed for peons in Greater Bombay (other than those in the offices under the control of the High Court) should remain the same as hitherto, namely :-

Week days	..	9-45 a.m. to 7 p.m.
Saturdays	..	9-45 a.m. to 4-30 p.m.

P.T.O

The Heads of Offices are authorised to prescribe the hours as from 9-15 a.m. to 6-30 p.m. to suit exceptional cases. On Saturdays peons may be required to wait after 4-30 p.m. by turns as may be necessary. The Heads of Offices are also authorised to give a recess up to one hour on week days and up to half an hour on Saturdays to those peons who require it.

By order of the Governor of Bombay.

M.D.Bhat.

Chief Secretary to the Government of Bombay.
Political and Services Department.

P. & S.H. 67

IMMEDIATE.

Legislative Assembly and Council business.
Prompt submission to Honourable Ministers of papers relating to ....

GOVERNMENT OF BOMBAY,
Political and Services Department,
Circular No.S.24,
Bombay Castle, 28th September 1950.

C I R C U L A R.

A case occurred recently in which the papers underlying the proposed answers to a Legislative Assembly question to be replied to by the Honourable the Chief Minister, were not submitted to him in time and as a result the Honourable the Chief Minister could not give replies to the supplementary questions put to him in the House during the question time. Instances of this kind have taken place in the past also. All Departments of the Secretariat are, therefore, informed that such lapses on their part would be taken serious notice of in future and that any inconvenience caused to the Honourable Ministers on account of the inavailability of papers in time, required for their use during the sessions of the Legislature would not be tolerated.

The Departments are requested to ensure that all files and papers pertaining to Bills, Resolutions, Motions etc... to be moved or questions to be asked in the current session of the Legislature are sent at once to the Personal Assistants to the respective Honourable Ministers for submission to them two days previous to the date on which the Bill, Resolution etc... to be moved or questions to be replied to in the House.

By order of the Governor of Bombay,

S.G. Desai,

For Chief Secretary to the Government of Bombay,
Political and Services Department.

To

All Departments of the Secretariat,
All Personal Assistants to the Honourable Ministers,
The Secretary to the Honourable the Chief Minister.

SSM / 18/8/56.

Bombay Public Service Commission
Forwarding of application to -

GOVERNMENT OF BOMBAY

Political and Services Department.

- Circular No. 3558/34.

Bombay Castle, 18th September 1950.

GOVERNMENT CIRCULAR.

It has been brought to the notice of Government that owing to elay on the part of certain Departments, a number of applications f Government servants applying for posts advertised by the ombay Public Service Commission reach that body long after the last date prescribed for the receipt of the applications. This causess great inconvenience and delay to the Commission. The Officers concerned should, therefore, see that the applications are forwarded to the Bombay Public Service Commission in due time.

By order of the Governor of Bombay

M.D.BHAT.

Chief Secretary to the Government of Bombay.

Political and Services Department.

Legal Department.

Submitted.

Please see the telegram on p. 1 ante and the Secretary's note on p. 2 ante.

Secretary's note may be shown U.O. to the P. & S. Department. It is presumed that in matters which demand prompt action, the telegrams are sent to the residence of the Officers concerned. The P. & S. D. may be requested to state the procedure followed in regard to the telegrams received on behalf of the Secretariat Department after the office hours.

U.O.R. to P. & S.D., No. 141/4 dt. 7-10-50.

P. and S.D.(B)

There are no definite orders in this behalf. The usual procedure is as follows:

Telegram received after office hours are accepted by the peon working at R.D.S's flat. If the telegrams are of an urgent nature R.D.'s peon delivers them immediately to the officer concerned - otherwise the telegrams are delivered the following day to the officer's office concerned, if the action desired is of simple nature the R.D.'s does the needful.

These P/S. may be returned also to the L.D. unto the above remarks.

The R. & S. B'bay has recently enquired who should be the authorised for accepting the telegram addressed to the Sect. Deptts. after office hours and on Sundays and holidays. The procedure in such matters will be considered along with the ~~along with the~~ P.&.S. communication. ~~The~~ To the present these P/S. may be returned to the L. D. through the S.D.

seen and passed on to the S.D.

sd. 20/10.

U.O.R. to S.D. No. 25/3616 dt. 25-10-50.

Submitted.

pl. see this Deptt U.R. at P. 3 ante and the P. & S.D. note at pp. 3-4 ante. In view of 'A' above no further action appears necessary for the present.

sd. 30/10.

As regards this Deptt. it is necessary that some arrangements should be made for taking delivery of the telegrams received by the R.D.S. on Sundays and holidays. The R.D.S. suggests that about 11 a.m. on Sundays and holidays a clerk of this Deptt. should make inquires from the peon working at his flat about tele rams intended for this Deptt. and then to take suchh action as may be necessary. Arrangements should, therefore, be made to depute a clerk rotative to attend to such work on holidays and Sundays.

Secy: The clerk concerned may please delever the telegram promptly to the officer to whom they are addressed.

SSM / 18/8/56

Submitted:

In view of these orders it will be necessary to call one clerk and also one peon to attend office on Sundays and Holidays at 11 a. m. The turns will have to be fixed by rotation among all the clerks in the Deptt. except the lady clerks.

Supdt.

The arrangement for receiving the telegrams from the Resident Deputy Secy.'s peon on the ensuing Dewali holidays and also Sunday the 12th Nov. have been made. In this connection I, however, submit for the consideration of the Secy. that instead of detailing a clerk for such duty it may not do if I contact that Resident Deputy Secy's. peon on telephone and ascertain from him whether there is any telegram for the Deptt. In that case I shall myself attend office and do the needful in the matter.

This arrangement is particularly submitted for approval as in these days of rationing it is very difficult for the membe s to attend one Sundays since Sunday is the only day on which they can bring their rations and attend to their domestic work. The arrangement suggested above will work satisfactorily and shall involve only an expenditure of annas two to four on telephone calls which can be met from contingency.

Legal Deptt.

R.L.A. has directed that the Index Cards should be discontinued and in their stead the summaries of R.L.A's opinions should hereafter be typed on foolscap paper so as tobe useful for preparing annual supplement to R.L.A's Digest at the end of the year.

He has also directed that the Index Cards prepared so far for the current year should be got retyped on foolscap paper as mentioned above. The Covenant clerk has accordingly been instructed to get them typed by batches of 20 cards through the Head Typist per day and to arrange the summaries as they are received from time to time.

SSM / 20/8/56.

Temporary Posts.

making permanent with retrospective effect - Guiding principle for.

GOVERNMENT OF BOMBAY.
Finance Department.
Circular no. 841./33.
Bombay Castle, 23rd December, 1950.

CIRCULAR OF GOVERNMENT.

It has been represented to Government that with the promulgation of the revised Pension Rules under which pension is determined by a Govt. servant's substantive pay, the delay in making permanent existing temporary posts of long duration will cause great hardship to many Government servants on the verge of retirement. Normally new posts must necessarily be sanctioned on a temporary basis for some time in order to assess whether they are required on a permanent basis or not, and Government servants officiating in such posts cannot claim any relief in respect of pension. However, in the circumstances arising from the last war and the subsequent developments in the country, a comparatively large number of posts are being continued on a temporary basis from year to year, and persons have been officiating continuously in such posts for an appreciable time. The Special Officer (Retrenchment) has investigated the staff employed in every Government office and has made recommendations regarding the establishment required for the various offices and it will now be possible to decide the posts which are likely to be needed on a permanent basis. Government has considered whether any retrospective effect should be given to the xxxx orders making such posts permanent and is pleased to direct that whenever temporary posts of more than one year's duration are made permanent retrospective effect may be given to such orde to the extent of one-half of the duration of the temporary period of the post, but in no case exceeding three years. While calculating the actual period to be allowed, account would be taken only of full months, broken periods of less than one month being ignored.

2. Government, however, desire to make it clear that the above principle is intended to serve only as a guide to the departments dealing with such proposals and is not intended to give any right as such to the

to the Government servent concerned.

3. These instructions will apply to temporary posts in existence on the date of issue of these orders and remain in force up to 1st April 1952.

By order of the Governor of Bombay,

Secretary to Government.

To

The Accountant General,

All Departments of the Secretariat.